

transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Cushing Brand Fermented Apple Cider, Vinegar Put up by St. Louis Vinegar & Cider Co. 55."

It was alleged in the libel that the article was adulterated in that an artificially colored imitation product other than apple cider vinegar had been mixed and packed with and substituted in part for the said article, and in that it had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the above-quoted label bore statements which were false and misleading and deceived and misled purchasers, and in that the article was in imitation of and was offered for sale under the distinctive name of another article.

On May 3, 1928, the St. Louis Vinegar & Cider Co., St. Louis, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant, to be relabeled under the supervision of this department, upon the execution of a bond in the sum of \$100, and that the claimant pay the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15829. Adulteration of fig pulp and fig paste. U. S. v. 600 Cases of Fig Pulp, et al. Default decrees of condemnation and forfeiture. Product ordered disposed of for other than food purposes. (F. & D. Nos. 22130, 22312. I. S. Nos. 11941-x, 14237-x. S. Nos. 180, 357.)

On November 1 and December 19, 1927, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 600 cases of fig pulp and 650 cases of fig paste at Cleveland, Ohio, alleging that the article had been shipped by Guggenhime & Co., Fresno, Calif., in part on or about August 28, 1927, and in part on or about October 10, 1927, and had been transported from the State of California into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fancy Fig Pulp (or 'Pansy * * * Brand California Fig Pulp') * * * Guggenhime and Company, California."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 25 and April 26, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal. The decrees were subsequently modified to permit the shipment of the product to the Rossville Manufacturing Co., Lawrenceburg, Ind., to be used other than as a food product.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15830. Adulteration and misbranding of Vino Sano grape bricks. U. S. v. 1,122 Cases Vino Sano Grape Bricks. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 22140. I. S. Nos. 21508-x to 21513-x, incl. S. No. 186.)

On November 10, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,122 cases of Vino Sano grape bricks, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Vino Sano Co., Inc., from San Francisco, Calif., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Retail package) "Vino Sano Grape Brick (clusters of grapes) Vino Sano Co. Inc., San Francisco, Calif.," and had the type of flavor rubber stamped on the package as "Muskat," "Malaga," "Port," "Sherry," "Rhine," and "Burgundy."

It was alleged in the libel that the article was adulterated in that a substance, glucose, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the following statements and designs were false and misleading and deceived and misled purchasers: (All

cartons) (clusters of grapes) "Vino Sano Grape Brick * * * Grape Juice * * * Grape Brick * * * Port, Sherry, Malaga * * * Grape Brick or gallon of juice * * * Muscatel, Rhine, Burgundy * * * For Medicinal Purposes Consult Your Physician Vino Sano Vitamine Concentrate * * * The juice contains the most important Vitamines A, B, and even the latest discovered Vitamine E, and may be prescribed by Doctors instead of any other yeast treatment, especially in place of fermented milk treatments (Kefir, Yoghurt, Kumiss), in accordance with the Professor Mechnikoff theory, to eliminate from the system the bacilli senili (old age germs), which explains the rejuvenating qualities of Vino Sano Vitamine Concentrate. Consult your Doctor! * * * any kind of fruit juice * * * the juice * * * Vino Sano Grape Bricks are the dehydrated, compressed substances as found in the choicest * * * vines, scientifically prepared by the newest process of dehydration, without the use of any harmful, artificial, or synthetic chemical or preservative, and conform with the Pure Food Laws of the United States * * * makes a delicious, non-alcoholic, unfermented Grape Juice beverage with Port, Sherry, or Malaga flavor (sweet tasting types) or Muscatel, Rhine, Burgundy flavor (dry tasting types)." It was further alleged in the libel that the statements, "Muskat type," "Malaga type," "Port type," "Sherry type," "Rhine type," and "Burgundy type," were false and misleading, and that the term "Vino Sano," which translated means "wholesome wine," was false and misleading when applied to this product. It was also alleged that the statement, "California Grape Bricks," borne in the labeling of the Malaga, Port, Sherry, and Burgundy types, was false and misleading.

On July 9, 1928, the Vino Sano Sales Corporation, San Francisco, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15831. Misbranding and alleged adulteration of alfalfa leaf meal. U. S. v. 62 Sacks and 274 Sacks of Alfalfa Leaf Meal. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22476, 22483, 22609. I. S. Nos. 11959-x, 25006-x. S. Nos. 584, 642.)

On March 1 and March 6, 1928, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 336 sacks of alfalfa meal, remaining in the original unbroken packages in part at Cleveland, Ohio, and in part at Toledo, Ohio, alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., from Hagerman, N. Mex., in two consignments, December 5, 1927, and January 5, 1928, respectively, and transported from the State of New Mexico into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Alfalfa Leaf Meal * * * Made by Pecos Valley Alfalfa Mill Co., Hagerman, New Mexico, Guaranteed analysis protein 17%, * * * Fibre 23%."

It was alleged in substance in the libels that the article was adulterated in that it was deficient in protein and contained stem meal mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the label bore statements which were false and misleading and deceived and misled the purchaser, as follows: "Alfalfa Leaf Meal" and "Guaranteed analysis protein 17%." Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On April 17 and May 12, 1928, respectively, the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., having appeared as claimant for the property and having admitted the allegations of the labels, judgments of the court were entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$1,000, conditioned in part that it should not be used, sold, or disposed of in violation of law. The decrees further provided that the product be relabeled in accordance with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*